

Message

From: Jonas, Jill D - DNR [Jill.Jonas@wisconsin.gov]
Sent: 10/23/2014 5:12:40 PM
To: Poy, Thomas [poy.thomas@epa.gov]; Vollbrecht, Mary E - DNR [Mary.Vollbrecht@wisconsin.gov]
Subject: FW: BNA: Groups Call on EPA to Intervene In Wisconsin Groundwater Pollution Matter

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From: Malm, Sylvia [mailto:Malm.Sylvia@epa.gov]
Sent: Thursday, October 23, 2014 10:13 AM
To: Jonas, Jill D - DNR; Bramblett, Jimmy - NRCS, Madison, WI
Cc: Spaulding, William
Subject: FW: BNA: Groups Call on EPA to Intervene In Wisconsin Groundwater Pollution Matter

I'm sure the state government referred to in this article is not the state source water program. Does this present an opportunity to partner to address these issues in Kewaunee County (note farmer leading one of the groups expressing concerns), or would there be significant downsides due to the current situation?

Sylvia

Team Leader, Source Water Protection
US EPA, Office of Ground Water & Drinking Water
www.epa.gov/sourcewaterprotection
202-564-3889

From: Green, Holly
Sent: Thursday, October 23, 2014 8:00 AM
To: Muse, Mike; Malm, Sylvia; Carlson, Rachel
Subject: Fwd: BNA: Groups Call on EPA to Intervene In Wisconsin Groundwater Pollution Matter

Holly Sage Green
Acting Branch Chief, Prevention
Drinking Water Protection Division
USEPA
(202) 566-0651

Begin forwarded message:

From: "Flaharty, Stephanie" <Flaharty.Stephanie@epa.gov>
Date: October 23, 2014 at 6:41:01 AM EDT
To: "Grevatt, Peter" <Grevatt.Peter@epa.gov>, "Bergman, Ronald" <Bergman.Ronald@epa.gov>, "Corr,

Elizabeth" <Corr.Elizabeth@epa.gov>, "Green, Holly" <Green.Holly@epa.gov>, "Lopez-Carbo, Maria" <Lopez-Carbo.Maria@epa.gov>

Subject: BNA: Groups Call on EPA to Intervene In Wisconsin Groundwater Pollution Matter

Groups Call on EPA to Intervene In Wisconsin Groundwater Pollution Matter

Oct. 22 — Six Wisconsin environmental organizations Oct. 22 filed a petition for emergency action under the Safe Drinking Water Act (SDWA) with the Environmental Protection Agency, alleging the state has failed to protect public health in a rural county dense with dairies and concentrated animal feeding operations (CAFOs).

The petitioning organizations said the Wisconsin Department of Natural Resources (DNR) failed to fulfill its duty to protect groundwater quality in Kewaunee County, just east of Green Bay, Wis. The emergency petition said more than 30 percent of the drinking water wells in the county are polluted with unsafe levels of nitrate, bacteria or both.

The petition called the groundwater contamination in Kewaunee County “present, pervasive and unlikely to change absent EPA action.”

The groups called on the EPA to immediately identify and abate the source of the contamination, noting that 95 percent of the county's 20,000 residents rely on the affected aquifer for their drinking water.

“Kewaunee County has for too long been the canary in the coal mine with unchecked contamination in our soils and water, threatening our homes, health and future,” said Lynn Utesch, a Kewaunee County farmer and a member of the environmental group Kewaunee CARES. “The time has come for action, as we've hit a state of emergency plaguing our community and threatening human health.”

In addition to Kewaunee CARES, the petition was jointly submitted by Clean Wisconsin, the Environmental Integrity Project, Midwest Environmental Advocates, Midwest Environmental Defense Center and the Clean Water Action Council of Northeast Wisconsin.

Yakima Valley Probe

The groups argued that the EPA has full authority to intervene in a local groundwater pollution issue and pointed to the agency's recent action in the state of Washington. In March 2013, EPA reached settlements requiring four Yakima Valley dairies to take steps to reduce nitrate pollution in the groundwater and nearby drinking water wells.

Bill Cosh, a spokesman for the DNR, didn't address the organizations' complaint directly but said, “DNR operates its permit programs to meet all requirements of current laws and rules.”

The petition said that Kewaunee County is particularly susceptible to groundwater pollution. The land features “highly fractured carbonate bedrock overlain by shallow, unconsolidated soils and direct conduits from the surface to groundwater,” including cracks, fissures and sinkholes. In line with this geology, groundwater quality is directly affected by land use practices in the county, which are driven by livestock agriculture.

The petition said Kewaunee County is one of the most dairy-intensive regions of Wisconsin. The county is home to 200 dairies, including 15 CAFOs.

The county's cattle population has grown to 80,000 from 59,800 in 1983. Livestock operations in Kewaunee generate the waste equivalent of more than 900,000 humans. The petition added that 340 million gallons of liquid manure and 81,332 tons of solid manure are applied to agricultural fields in Kewaunee County.

The petitioners concede “anecdotal evidence” of other sources of nitrate and bacteria pollution but said, “land application of liquid manure and other agricultural wastes are undeniably the leading source of these pollutants and pose a major threat to public health.”

Previous Challenges

Environmental groups have been expressing public health concerns over agriculture patterns in Kewaunee County for several years.

In October 2012, a group of county residents challenged a water permit for the proposed expansion of Kinnard Farms Inc., a large CAFO, in the town of Lincoln, Wis.

Midwest Environmental Advocates said Kinnard wouldn't be able to manage the huge volume of manure that would be generated by the facility, resulting in runoff into area waterways and contamination of the groundwater.

MEA said the matter had been fully briefed, but the administrative judge in the matter hasn't yet issued a ruling on the permit.

"The people of Wisconsin can't keep fighting our own state government to get the help and protections they need to be sure their drinking water is safe," Kimberlee Wright, executive director of MEA, said in a statement. "The water pollution problem in Kewaunee County is so serious that we have to ask the federal government to do what our state government can't or won't."

To contact the reporter on this story: Michael Bologna in Chicago at mbologna@bna.com

To contact the editor responsible for this story: Larry Pearl at lpearl@bna.com

For More Information

The environmental groups' petition can be found at <http://www.cleanwisconsin.org/kewaunee-safe-drinking-water>.